Remarks

1. The Examiner has rejected claims 1 to 7 & 11 to 25 as being anticipated under 35 U.S.C. §102(e) in view of Rudrapatna (US6801790). Independent claims 1 & 22 have therefore been amended in manner believed to distinguish the present invention over this prior art reference.

2. In claims 1 & 22, the claim language has been amended to the feature that the radio communications device is operable such that there are fewer transmit or receive chains than activated diverse antennas. In the case of Rudrapatna, each group 101, 103 of antennas comprises a first pair of antennas and a second pair of antennas in which one antenna from each pair does not exhibit diversity (i.e. is highly correlated) with one antenna from the other pair and wherein one antenna from each pair does exhibit diversity with respect to one antenna from the other pair. For example, antennas 102 & 106 and antennas 104 & 108 are highly correlated whereas antennas 102 & 108 and 104 & 106 exhibit diversity with respect to one another. While Rudrapatna does disclose more antennas (102, 104, 106, 108, 112, 114, 116 & 118) than transmit/receive chains as represented by signal lines 130, 132, 134 & 136 of figure 1 of this reference, it will be noted that four switches 120, 122, 124 & 126 are provided to enable selected ones of the pairs of antennas to be activated. As such, when the switches are controlled to select the diverse antennas for MIMO or diversity applications, there is a one to one correspondence between the number of activated diverse antennas (four) and the number of the signal lines (four) indicative of transmit/receive chains. Consequently, the present invention as defined by amended claims 1 & 22 is not anticipated by the disclosure of Rudrapatna.

3. It should be noted that the arrangement of Rudrapatna is to provide an antenna array that can perform MIMO, beam forming/steering or diversity applications (or any combination thereof) without having to deploy additional antennas (column 3, lines 17/18). In contrast, the present invention relates to a

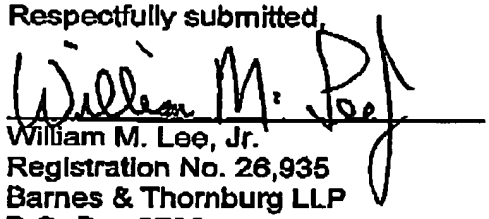
device having antennas exhibiting diversity with respect to one another which seeks to reduce the number of receive/transmit chains for reasons of cost etc. while still increasing the number of antennas (page 8, lines 24 to 26). Consequently, one of ordinary skill in the art would not find any motivation in Rudrapatna to seriously contemplate modifying the system of that reference to arrive at the arrangement of the present invention which is therefore not rendered obvious by the disclosure of this reference.

4. The Examiner's rejection of claims dependent on claims 1 & 22 under 35 U.S.C. §102(e) and his rejection of dependent claims 8 to 10 under 35 U.S.C. §103(a) is moot in view of the foregoing.

5. Consequently, it is believed that this application is in condition for allowance.

May 9, 2005

Respectfully submitted,



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